

1 **WO**

2

3

4

5

6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

8

9 Myrna de Jesus,

No. CV-22-00532-PHX-DJH

10 Plaintiff,

ORDER

11 v.

12 UnitedHealth Group,

13 Defendant.

14

15 At issue is *pro se* Plaintiff Myrna de Jesus’s (“Plaintiff”) two Motions to Seal Case
16 (Docs. 36 & 37). While the Court is sympathetic to Plaintiff’s objective in attempting to
17 seal her case, the Court denies both Motions.

18 **I. Background**

19 Plaintiff brought a lawsuit against Defendant UnitedHealth Group
20 (“UnitedHealth”) alleging that she was defamed, slandered, and terminated in violation of
21 Arizona defamation laws and Arizona breach of contract laws. (Doc. 8 at 8–9 & 16–22).
22 In response, UnitedHealth filed a Motion to Dismiss and Petition for Confirmation of
23 Arbitration Award. (Doc. 11). Therein, UnitedHealth argued that Plaintiff’s claims were
24 governed by the parties’ Arbitration Agreement. (Doc. 11 at 1–2). Not only was there a
25 controlling Arbitration Agreement, but the parties had already resolved the dispute in
26 arbitration, UnitedHealth argued. (*Id.*) In responding to the Motion, Plaintiff contested
27 the arbitration proceedings and stated she would like to vacate the arbitration award.
28 (Doc. 16). Ultimately, the Court granted UnitedHealth’s Motion to Dismiss and affirmed

1 the arbitration award in UnitedHealth’s favor. (Doc. 31). Plaintiff appealed the Court’s
2 decision to affirm the arbitration award, and the Court was affirmed by the Ninth Circuit
3 on November 21, 2024. (Doc. 35). Now, Plaintiff has filed two identical Motions to Seal
4 Case. (Docs 36 & 37). For the reasons set forth below, the Court will deny both.

5 **II. Legal Standard**

6 The citizenry’s right to inspect public records creates a “strong presumption” that
7 documents filed with federal courts shall be open to the public. *Kamakana v. City &*
8 *County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). A party seeking to seal a
9 judicial record must generally produce “compelling reasons” that the record ought to be
10 kept secret. *Id.* at 1178–79. In order to satisfy the compelling reasons standard, a party
11 must adduce specific facts demonstrating that the party’s interest in privacy outweighs
12 the strong public policy favoring disclosure. *Id.* Ordinarily, the compelling reasons
13 standard is satisfied when a party establishes that a document has been submitted for an
14 improper purpose, such as harassment. *Id.* “The mere fact that the production of records
15 may lead to a litigant’s embarrassment, incrimination, or exposure to further litigation
16 will not, without more, compel the court to seal its records.” *Id.*

17 **III. Discussion**

18 According to Plaintiff, if the case remains unsealed, she will be at risk of identity
19 theft because “court records containing sensitive personal data significantly increases the
20 likelihood of identity theft or the unauthorized use of such information.” (Doc. 36 at 2).
21 She says that a leak of her personal information might “lead to additional reputational
22 harm and emotional distress . . .” (*Id.*) Without specifying, Plaintiff attests that she has
23 already been subject to “significant embarrassment and humiliation.” (*Id.*) She is also
24 concerned that information about the lawsuit is readily accessible to the public via an
25 internet search. (*Id.*) Lastly, Plaintiff opines that sealing her case aligns well with federal
26 privacy law. (*Id.* at 3).

27 The Court is not persuaded that compelling reasons exist to warrant the sealing of
28 this case. Plaintiff’s fear that some unspecified “personal data” may be exploited lacks

1 the specificity needed to outweigh the public's right to access court documents. Indeed,
2 Plaintiff has not pointed to any specific facts or documents that have been submitted in
3 this litigation for the improper purpose of harassing her. In fact, she has not pointed to
4 anything that justifies sealing, and embarrassment cannot be standalone basis for granting
5 her request. *Kamakana*, 447 F.3d at 1178. Typically, when a court is faced with a
6 request like this, the court must evidence a factual basis for granting that request. *See*
7 *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096 (9th Cir. 2016)
8 (articulating that the court is required to provide a factual basis for its decision without
9 relying on "hypothesis or conjecture"). Here, Plaintiff relied on conclusory statements
10 about her need for privacy and her fear of having her personal information stolen but
11 never outlined for the Court what specific information she was referring to. Therefore,
12 the Plaintiff's request is denied.

13 Accordingly,

14 **IT IS ORDERED** that Plaintiff's Motions to Seal Case (Docs. 36 & 37) are
15 **denied**.

16 Dated this 16th day of October, 2025.

17
18
19
20
21
22
23
24
25
26
27
28



Honorable Diane J. Humetewa
United States District Judge